

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____

v. : **DATE FILED:** _____

WILLIAM JONES : **VIOLATIONS:**

: **18 U.S.C. § 924(a)(1)(A)**

: **(making false statements to a federal**

: **firearms licensee - 7 counts)**

: **18 U.S.C. § 922(g)(1)**

: **(felon in possession of a firearm - 7**

: **counts)**

: **18 U.S.C. § 2**

: **(aiding and abetting)**

: **Notice of Additional Factors**

INDICTMENT

COUNTS ONE THROUGH SEVEN

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. Mike and Kate's Sports Shop, located at 7492 Oxford Avenue, Philadelphia, Pennsylvania, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal laws.
2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations promulgated under the authority of Chapter 44, Title 18, United States Code, (Sections 921-929) govern the manner in which FFL holders may sell firearms and ammunition.
3. Pursuant to Title 18, United States Code, Section 924(a)(1)(A), it is a criminal

offense to knowingly make any false statement or representation with respect to the information required to be kept in the records of a person licensed under Chapter 44 of Title 18, United States Code (Sections 921-929).

4. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearm Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all of his or her answers on Form 4473 are true and correct. The prospective purchaser is also required to represent that he or she is the actual buyer of the firearm. The Form 4473 contains language warning that:

WARNING - You are not the actual buyer if you are acquiring the firearms on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.

5. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer's home address and date of birth.

6. On or about the dates listed below, at Philadelphia, in the Eastern District of Pennsylvania, defendant

WILLIAM JONES,

in connection with the acquisition of each of the firearms listed below from an FFL holder, that is, Mike and Kate's Sports Shop, 7492 Oxford Avenue, Philadelphia, Pennsylvania, knowingly made, and aided and abetted the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holders' records, in that defendant JONES paid Annette Cooke, charged elsewhere, to purchase firearms on his behalf, and had her certify on the Form 4473 that she

was the actual buyer of the firearms, when in fact, Cooke purchased the firearms on behalf of JONES, and both JONES and Cooke knew that the statements were false and fictitious.

COUNT	DATE	FIREARMS
1	October 16, 2001	9mm Glock Model 26 semi-automatic pistol, serial number CCV448US 9mm Beretta Model 92D semi-automatic pistol, serial number BER4593032
2	November 2, 2001	9mm Heritage Arms Model C-1000 semi-automatic pistol, serial number A1518 9mm Kel-Tec Model P-11 semi-automatic pistol, serial number 111426 9mm Bryco Model Jennings-9, serial number 1480440
3	November 6, 2001	9mm Glock Model 17 semi-automatic pistol, serial number HL816US
4	December 7, 2001	9mm Intratec Model CAT-9 semi-automatic pistol, serial number 11906
5	January 31, 2002	.45 caliber Hi-Point Model JH semi-automatic pistol, serial number 339657
6	February 15, 2002	9mm Bryco Model Jennings-9 semi-automatic pistol, serial number 1494773 9mm Bryco Model Jennings-9 semi-automatic pistol, serial number 1415189
7	March 13, 2002	9mm Bryco Model Jennings-9 semi-automatic pistol, serial number 1494772

All in violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNTS EIGHT THROUGH FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about the dates listed below, in Philadelphia, in the Eastern District of Pennsylvania, defendant

WILLIAM JONES,

having been convicted in the United States District Court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce the firearms specified below:

COUNT	DATE	FIREARM(S)
8	October 16, 2001	9mm Glock Model 26 semi-automatic pistol, serial number S/N CCV448US 9mm Beretta Model 92 D, serial number BER4593032
9	November 2, 2001	9mm Heritage Arms Model C-1000, serial number A1518 9mm Kel-Tec Model P-11, serial number 111426 9mm Bryco Model Jennings-9, serial number 1480440
10	November 6, 2001	9mm Glock Model 17 semi-automatic pistol, serial number HL816US
11	December 7, 2001	9mm Intratec Model CAT-9, serial number 11906
12	January 31, 2002	.45 caliber Hi-Point Model JH semi-automatic pistol, serial number 339657
13	February 15, 2002	9mm Bryco Model Jennings-9 semi-automatic pistol, serial number 1494773 9mm Bryco Model Jennings-9 semi-automatic pistol, serial number 1415189
14	March 13, 2002	9mm Bryco Model Jennings-9, serial number 1494772

All in violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts One through Fourteen of this indictment, defendant **WILLIAM JONES**:

- a. possessed and transferred a firearm with knowledge, intent, and reason to believe that it would be used and possessed in connection with another felony offense, as described in U.S.S.G. § 2K2.1(b)(5).
- b. committed the offense while on parole for another crime, as described in U.S.S.G. § 4A1.1(d).
- c. possessed a total of seven firearms, as described in U.S.S.G. § 2K2.1(b)(1).

A TRUE BILL:

_____**GRAND JURY FOREPERSON**

PATRICK L. MEEHAN
UNITED STATES ATTORNEY_____